

IDEM

Nonrule Policy Document

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Title: Other Material Storage in Permitted Storage Areas

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Other Policies Repealed or Amended: None

Citations Affected: 40 CFR 264.175

Brief Description of Subject Matter: Permitted facilities which have hazardous waste management units with secondary containment are using these areas to also store other materials, including products. These other materials, by definition, are not hazardous waste and are not included nor are they required to be included in the hazardous waste permit.

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Other Material Storage in Permitted Storage Areas

Recently, several questions have been raised concerning the inspection of permitted facilities which have hazardous waste management units with secondary containment and are using them to store other materials, including products. These other materials, by definition, are not hazardous wastes and are not included nor are they required to be included in the hazardous waste permits. The following recommendations should be used when determining compliance of units storing non-hazardous materials within the secondary containment of a permitted unit:

1. Since the permittee is required to maintain adequate secondary containment (40 CFR 264.175), then any other materials which are stored within the secondary containment should be included in determining if adequate containment capacity has been maintained.
2. It is not required that the other materials be listed on the operating log, but it is up to the permittee to demonstrate that any material which is stored in the hazardous waste storage unit is not a hazardous waste. A verification of the other materials that are being stored in the hazardous waste storage unit should suffice to determine if the material is non-hazardous. Examples that might be used for verification of the other materials include MSDS's, product labeling, or DOT labels. If there is no information concerning the material, then a waste determination should be required. It should be up to the inspectors discretion as to whether or not to require a waste determination.
3. Any other materials which are not hazardous wastes that are stored in the hazardous waste unit must be compatible with the hazardous waste. If the other materials are not compatible with the hazardous

wastes then the other materials should be removed from the unit or special precautions should be taken to prevent the wastes from coming in contact with the materials.

4. Generally, the other materials should be handled in the same manner as the hazardous wastes, however, it is not required and inspector discretion should be used. If a potential problem is observed that could lead to the release of materials or hazardous wastes, then the handling requirements for hazardous wastes should be used.

Please contact the Compliance Monitoring Section at 317/308-3103, if you have additional questions or comments.